

MRS. CARMAN SMILED AS JURY TOOK CASE; FATE LONG DEBATED

Acquittal or Disagreement, Hope of Defence—Jurors Deliberate Hours and Recall Request for Testimony.

WOMAN SHOWS STRAIN OF WAITING

Bullet Intended for Dr. Carman Killed Mrs. Bailey, First Degree Murder Charge Stood, Judge Warned Jurors.

The jury in the case of Mrs. Florence Carman, charged with killing Mrs. Louise Bailey, was still out at 2 o'clock this morning, four hours after receiving the case.

It was reported that the jury stood ten for acquittal and two for conviction.

(From a Staff Correspondent of The Tribune.)
Minerva, Long Island, Oct. 24.—The Carman jury retired at 9:44 o'clock to-night.

At 11 o'clock the jury asked that certain parts of the testimony be read to them.

Mrs. Carman, highly nervous, was brought out into the courtroom. Three women friends and a prison guard followed her. She took her seat at the counsel table. The jury then suddenly decided it did not desire the testimony, and the defendant was led back to the Sheriff's room.

Mrs. Carman, when the jury went out, seemed fatigued by the long day, but she in no way gave a sign that she expected an adverse verdict. Her husband whispered a few words to her, and she smiled.

She was taken into the Sheriff's room.

The charge, in which the evidence was not discussed, consumed just forty minutes. Should an agreement be reached to-morrow, it will be the first time in the history of murder trials in the East, at least—that a verdict was returned on Sunday. There is nothing in the law to prevent it. Sunday under the legal interpretation becomes a continuation of Saturday.

"The worst we can get is a disagreement," said the Carman lawyers, "but we are certain of acquittal."

"Conviction sure," said District Attorney Smith.

Pete Crow Visits Court.

After the jury had been taken to the courtroom crowd, which had thinned out, came back again to sit out the wait through the recesses. Unsettled as if for the theatre, scores of young women motored to the courthouse, but most of them were turned back at the doors.

Mrs. Carman was brought back to the courtroom at 8:30 o'clock. Her lawyers came in five minutes later. Immediately behind them came District Attorney Smith and his assistant, Charles Weeks.

The jury took their seats at 8:08 o'clock. Most of them spent the time waiting for Justice Kelly to come in striding glances at Mrs. Carman, who was very grave. The justice took his seat at 8 o'clock.

Mr. Graham arose to protest against some of Mr. Smith's statements in the opening up. He objected to the statement that Mrs. Carman knew somebody was killed when she came downstairs and that the defence had not produced the two women supposed to have been in the house at the time of the murder.

He made several objections. The court began by charging at 9:04. He stood up as he talked.

"The defendant is charged," he began, "with killing Mrs. Bailey after premeditation. I shall read to you the facts for you. I am here merely to tell you what the law is. I would go outside my province should I review the testimony, which all of you have heard."

"Find the Truth, Says Court."

"All of you understand," the court went on, "that your main duty is to find the truth. That you will do by considering and weighing the testimony of the witnesses, for shall not go over the facts for you. I am here merely to tell you what the law is. I would go outside my province should I review the testimony, which all of you have heard."

"The credibility of witnesses is entirely with you. Did they impress you as truthful? Did they impress you as evasive? Did they impress you as honest? That is for you to decide. You may decide that parts of some of the stories are true. The rest false. It is for you to accept what parts you regard as true and discard what you think untrue."

"Much of the evidence brought out here in this week of testimony was for the purpose of testing the credibility of some of the witnesses and not to bear on the facts of the homicide. I admitted the testimony of Dr. Carman under this head, for his actions are not binding on the defendant."

"Reasonable doubt was defined by the court, and also direct and circumstantial evidence."

"I have told you that my province is entirely that of giving you the law, and I shall not refer to the evidence. If you are convinced beyond a reasonable doubt that Mrs. Carman did not kill Mrs. Bailey, your duty is to acquit her and end the case."

"But if you find from the evidence that the defendant did commit a crime which resulted in the death of Mrs. Bailey, you are then to consider the degree of the crime."

"You find that the defendant killed Mrs. Bailey, though intending to kill her husband, and this intent was not premeditated, the defendant is nevertheless guilty of first degree murder. Court then read requests for charge by Mr. Graham. The fact that Justice Kelly did not take up and discuss the evidence caused much surprise, but he explained that he did not desire to give the impression of shading the evidence in any way."

While the court was reading the numerous requests for charge, Mrs. Carman was close beside her. Red spots showed in her cheeks. Elizabeth, who had attended all of the sessions, was not in court.

"It is not the consequences that count, but the intent," said the court.

Continued on page 4, column 5

TRAINING DIET AT VASSAR

Girls Love Their Athletics, but "Oh, You Pie!" They Cry.

(By Telegraph to The Tribune.)
Poughkeepsie, Oct. 24.—For the first time Vassar College set to-night separate tables with a special menu for the students going in for athletics. The girls athletes took their places at these tables with smiles of pride, but much of their gladness disappeared when it was found that the menu excluded pastry and the goodies dear to the college girl's heart. When the dessert passed by to the other tables one of the members of the hockey team murmured:

"I love my hockey; but oh, you pumpkin pie!"

Nor are the rigid diet rules to be upset by feasts on lemon soufflé and chocolate eclairs at nocturnal spreads. The captains of the teams, moreover, have ordered that the going, which regularly sounds in the college at 9:30 p. m. is to be the would-be athletes' curfew.

Many are wondering how long the girls will hold out against their love of candy and cream sodas. Beverages are limited to one glass of water at meals.

FATHER NIPS SON BOUND FOR WAR

Myron Roth, De Witt Clinton Athlete, Found Ready to Sail.

(By Telegraph to The Tribune.)
Baltimore, Oct. 24.—Fired with ambition to become an English soldier Myron Roth, the 17-year-old son of Herman L. Roth, a New York attorney and a cousin of Mrs. Henry B. Harris, widow of Henry B. Harris, who was lost on the Titanic, left his home at 546 West 148th st. yesterday morning and came to this city, prepared to sail for London on the steamer Lancastrian, of the Atlantic Transport Line.

This morning his father and a close friend of the latter, Edward S. Wallace, arrived and went to Police Headquarters, where they asked for aid in finding the youth. Two detectives were assigned to help. The search was fruitless. After the ceremony they telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

He said that with fifteen other boys, ten of whom were under age, he had been brought to Baltimore by agents of the English Consulate at New York to go to the front for the Allies. Immediately the consuls were telephoned to the Lancastrian by patrolmen and was taken to his father. He is large for his age, and was a leader in athletics at De Witt Clinton High School.

GREAT BATTLE OF NATIONS CONTINUES ON LAND AND SEA, AIRCRAFT & SUBMARINES

Allies Hold Line in Northern France and Belgium.

KAISER, AS SEEN BY FRENCHMAN, LOOKS AGEING, ILL AND ANXIOUS

(Paris Correspondent of The Tribune.)
Paris, Oct. 24.—The picturesque appearance of Kaiser William as he hurriedly passed in his white automobile through Coblenz on October 17 is thus described by an eyewitness, Max Agathon, in "Le Matin":

"I was sitting in a café. I heard three sharp notes of a trumpet. This announced the coming of the Emperor.

"I hastened to the sidewalk and saw a large, white motor car with the black Prussian eagle enameled on the panel of its door. Beside the chauffeur was a footman. Both were wearing yellow armlets studded with small black eagles.

"Seated in the right corner of the tonneau of the open automobile was a sombre, sallow complexioned figure, with his jaws set in a determined grip, looking in anything but a good humor. This was the Kaiser. He wore a German general's fatigue cap and an ample light blue gray military cloak, with the collar turned up.

"I noted his pale blue eyes and was impressed with the strange severity, almost ferocity, of his expression. His face was deeply wrinkled. His mustaches, contrary to their usual well known custom, were drooping and unfurled. They are now quite gray.

"The Kaiser's eyebrows frowned. He seemed angry, very angry.

"Opposite the Emperor sat a young officer with a large, full face. He appeared pale and nervous and was wearing a helmet that looked much too small for him.

"The Imperial white motor car vanished from my sight in the crowd, which, as if awed by the stern severity of their Kaiser, looked on in silence, but recently uncovering and saluting. Two or three persons near me exclaimed: 'His majesty is evidently very angry.'"

WARDEN "NOT HOME" TO CROSEY'S AID

Sing Officials Surlily Block Goldstein's Efforts to Get Information.

Early War Office Report in Paris Admits Some German Successes.

RALLY FOLLOWS ADVANCES BY FOE

FRENCH TAKE STRATEGIC POINT NEAR ARGONNE

Village of Melzicourt Commands Roads to Varennes—Casualties Heavy Around Roze.

(By Cable to The Tribune.)
Paris, Oct. 24.—From the mass of contradictory reports concerning the fighting in Belgium and Northwestern France this sentence from to-night's official War Office communication stands out, terse but unqualified:

"From the sea as far as the region to the south of Arras the violent attacks of the enemy have everywhere been repulsed."

Among military observers as well as the public the statement possesses added weight on account of the frank admission of German advances in the following statement in the communiqué issued earlier in the day:

"The enemy has made progress to the north of Dixmude and in the vicinity of La Bassée. We have made very perceptible advances to the east of Neuport, in the region of Langebaert and Lille. It is a question of inevitable fluctuations in the line of combat, which, however, maintains itself as a whole.

To-night's report also mentions a French success in the district west of the Argonne region, the capture of the village of Melzicourt. The titanic battle now raging on the northwest part of the line serves to make the importance of this victory in the public mind, but military experts realize its importance, as the line now gives the enemy the command of the roads leading from Varennes to the valley of the Aisne.

Result Not in Sight.

Although the Allies have repulsed the violent assaults on their left wing, it is still evident that neither of the immense armies which have been facing each other on lines extending from the North Sea to the Swiss frontier, while continuing to deliver hammer blows, has succeeded in pushing its strokes far enough to bring appreciably nearer a final result.

The Germans have taken the offensive not only against the left wing of the allied army, but against the center. The French army which is defending the line of fortifications between Verdun and Toul.

Around Toul, which the Germans have as well as further south in the direction of Arras and Roze, there has been so much fighting that even the accounts of trainloads of wounded being taken daily to the hospitals cannot be exaggerated.

To-day both sides claim success in a battle in which there were so many victims that the Germans asked for a truce to bury their dead. This was refused.

Fighting Near Lille.

The principal scene of conflict is around La Bassée, virtually dominating Lille, where the German troops threw themselves in masses against the Allies. For the most part British troops have engaged here. Both sides suffered awfully. The British casualty list is large, although much smaller than that of the Germans, who encountered them in solid formation.

There has not been a minute's respite in the conflict since Friday morning, except during the darkest hours of the night, but even then the artillery of both armies kept up a continuous duel.

The Germans appeared at this point to have an inexhaustible supply of men, whom they did not spare. Everywhere, where one man fell, seemed to be replaced by another. The Allies, however, at their disposal fresh troops and succeeded in repulsing the Germans wherever they pushed a formidable attack home.

All the transport arrangements of the Allied troops are working splendidly and men at the front are kept well fed and supplied with ammunition. The ambulance services are admirable. The ambulance ambulances from Paris were cheered heartily as it passed toward the front of the battle line to bring back the wounded. The American service is immensely appreciated.

THREE SEEK POST OF CHIEF OF STAFF

Geneva, Oct. 24 (via Paris).—A telegram from Basle received here confirms the retirement of General Helmuth von Moltke as chief of the German General Staff on October 22. He requested Emperor William to be relieved from his post because of his poor health. Von Moltke's resignation was accepted, but it is not definitely known who will succeed him. Three candidates are seeking the position.

HAWKE'S FOE SAFE IN GERMAN PORT

Amsterdam, Oct. 24.—A dispatch from Berlin says it is officially announced that the German submarine which sank the British cruiser Hawke has returned safely to port.

The sinking of the British steamer Glitra by a German submarine near the Norwegian coast is also officially confirmed at Berlin.

Continued on page 4, column 5

British Destroyer Sinks a German Submarine.

INVASERS REPORT CROSSING YSER

Part of Line Along Canal Relieved by English Force for Rest.

KAISER'S ARMY RUSHES UP REINFORCEMENT'S

Allies Report Repulse of Attacks at Many Points in the Line.

London, Oct. 24, 11:21 p. m.—A German submarine has been rammed and sunk by the British destroyer Badger. Commander Charles Freeman, off the Dutch coast, according to an official announcement made 10 o'clock. The Badger's bow was somewhat damaged.

While a French torpedo boat was approaching the Ostend pier at night recently two shots were fired at her by German guns, which were concealed, says an Exchange Telegraph dispatch. The torpedo boat replied with seven shots, which killed a German officer and wounded three others. Several hotels and the pier were damaged.

Amsterdam, Oct. 24.—Fierce fighting is going on in the district between Neuport and Ostend, as well as around Thourout, Thiel and Deynse, according to a late Reuter dispatch from Sluis, Holland.

"The Yser Canal is being obstinately defended by the Belgians," the dispatch continues. "The bombardment was kept up all night, but this morning (Saturday) both sides rested for a while. At dawn heavy firing was resumed, but the Belgians have not yet been defeated."

"The Germans are guarding the lighthouse at Knocke, close to the Dutch frontier on the North Sea, as a measure of precaution against a possible landing by the British. The sand dunes also are being guarded. German marines have occupied the village of Heyst and the villages between Sluis and Brugge."

Army Corps to Front.

"Great movements of troops have taken place from Bruges, and yesterday an army corps arrived from Antwerp. Bruges and Ghent on its way to Thourout and Westende, points from which many wounded are being brought back. Long trains conveying wounded soldiers have arrived at Bruges, where it is impossible to accommodate all the unfortunate. The medical stores are inadequate and the number of doctors not large enough to cope with the work."

"The fighting has been of a most sanguinary character. One German soldier relates that at one point between Ostend and Neuport 1,500 of his comrades were buried in a single field."

British Ships Steamed By in Battle Line, Raking Germans

(By Cable to The Tribune.)
Dunkirk, France, Oct. 24.—Only on British ship was damaged in the naval bombardment of the German forces near Neuport, and the damage done was not serious. The German artillery that tried to answer the British fleet was smashed to bits for its temerity. It happened this way:

"For a time the British gunfire was unanswerable. Then the Germans could stand it no longer. Shot after shot was landing in their midst. A baggage column and an ammunition column were broken up. So they dragged their guns into position just beyond Neuport. There was a long row of low houses, then a gap, then another row."

In this gap the Germans placed a number of guns. The six or eight shots which were over the deck of a destroyer disclosed their presence. Abruptly the British ships got on the move. They steamed up the coast at full speed, giving the German battery their starboard guns. They turned and came down again, letting the Germans have their port batteries. By the time they next came down the German gun had been put out of action. An ambulance wagon was there, picking up the dead.

The British fleet yesterday was ably helped by signallers in a stationary balloon. The signallers, though within range of the Germans, reported the result of every shot. One of them was shot down, but whether mortally or not cannot be learned.

British Suffer Losses.

The British loss in this action of a lieutenant and a number of men was mainly due to the landing of a shore party with a machine gun. There were some hundred yards of shore to cover before the guns could reach the sand dunes and get in position. The Germans saw the landing party and sent sharpshooters to the sand dunes, where they lay flat. In that few hundred yards of bare shore the landing party made a prominent mark. One after another they were picked off. Only a handful of the party got back to the ships. Their gun was lost.

The fighting at Neuport goes on admirably. New troops have been able to replace the Belgians and give them a much needed rest. The Germans' position is most desperate, and they have fought with all the doggedness of desperate men. Dixmude has been retaken several times. The British hold it now, but the little town has suffered terribly from the incessant battering. On the River Yser

GERMANS FLEE AS INDIANS CHARGE

Soldier Says They Swept Forward Like Whirlwind, Carrying All Before Them.

(By Cable to The Tribune.)
London, Oct. 24.—The following account of the first charge of the Indian cavalry in European warfare is given by an English soldier invalided home.

"It happened one day," he said, "when the enemy had been pressing us hard all along the line. Just when they were half way toward our trenches the Indians, who had arrived the day before and were anxious to get into it, were brought up. Fine fellows they looked as they passed us on their fine chargers, and we broke into cheers."

"At the word of command they swept forward, only making a slight detour to get out of our line of fire, and then they swept into the Germans from the left like a whirlwind."

"With a shrill yell they rode right through the German infantry. The Germans broke and ran for their lives, pursued by the Indians for about a mile. When the Indians came back from the charge they were cheered wildly all along our line, but they didn't think much of what they had done. 'It wasn't exciting as pig sticking,' one of them said."

FRENCH SHIP WITH WOUNDED AGROUND

London, Oct. 24, 10:50 p. m.—A wireless dispatch from Berlin says: "A British fleet is lying close to the Dardanelles. The mother of its guns has been heard at Mudros (probably Maudros)."

Continued on page 4, column 5